

Message Text

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ACTION OES-07

INFO OCT-01 EUR-12 ISO-00 FEA-01 NSCE-00 ACDA-12
CIAE-00 INR-07 IO-13 L-03 NSAE-00 EB-08 NRC-05
DODE-00 ERDA-05 SS-15 SP-02 ERDE-00 INRE-00 SSO-00
/091 W

-----092280 231417Z /42

O 231400Z NOV 77

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC IMMEDIATE 3258

INFO AMEMBASSY BONN IMMEDIATE

AMEMBASSY COPENHAGEN IMMEDIATE

AMEMBASSY DUBLIN IMMEDIATE

AMEMBASSY LONDON IMMEDIATE

AMEMBASSY LUXEMBOURG IMMEDIATE

AMEMBASSY PARIS IMMEDIATE

AMEMBASSY ROME IMMEDIATE

AMEMBASSY THE HAGUE IMMEDIATE

AMEMBASSY VIENNA IMMEDIATE

C O N F I D E N T I A L BRUSSELS 16919

VIENNA FOR USIAEA

USEEC

E.O. 11652: GDS

TAGS: TECH, ENRG, EC, BE

SUBJECT: RENEGOTIATION OF US-EURATOM AGREEMENT

REF: STATE 278504

1. EMBOFF CONVEYED POINTS IN PARAGRAPH 4 REFTEL TO HERPELS, DIRECTOR NUCLEAR AFFAIRS, MINISTRY OF FOREIGN AFFAIRS, ON NOVEMBER 22. HERPELS' INITIAL AND PERSONAL REACTION TO DEMARCHE WAS PREDICTABLY NEGATIVE. SHE ALSO CLAIMED THAT "UNILATERAL" US ACTION OF THIS KIND
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RAISED BASIC QUESTIONS CONCERNING MAINTENANCE OF EUROPEAN COMMUNITY STRUCTURE.

2. ALTHOUGH HERPELS FULLY UNDERSTOOD THAT US SIMPLY RECOMMENDING EARLY AGREEMENT TO INITIATE NEGOTIATIONS, SHE SAW NO POSSIBILITY THAT EC COULD UNDERTAKE NEGOTIATIONS CONCERNING NEW AND ADDITIONAL SAFEGUARDS WHEN THE TOPICS

UNDER NEGOTIATION ARE SOON TO BE ORDAINED INTO US LAW. THIS, SHE SAID, WOULD NOT BE A NEGOTIATION BUT AN "ADAPTATION" BY THE EC TO US LEGISLATION.

3. CITING EURATOM TREATY (ARTICLE 101), SHE EMPHASIZED THAT EC COMMISSION COULD BEGIN NEGOTIATION OF CHANGES PROPOSED BY US ONLY WHEN GIVEN MANDATE BY COUNCIL OF MINISTERS. SINCE THIS QUESTION IS CERTAIN TO BE REGARDED AS "HIGHLY POLITICAL" AND TOUCHING ON VITAL MEMBER STATE INTERESTS, UNDER TERMS OF SO-CALLED LUXEMBOURG COMPROMISE REQUIRING UNANIMOUS AGREEMENT BY EC COUNCIL OF MINISTERS, THERE IS NO CHANCE THAT COMMISSION WILL RECEIVE THIS NEGOTIATING MANDATE. FRANCE, FOR ONE, WILL NOT ACCEPT NEGOTIATIONS UNDER THESE CONDITIONS, SHE SAID, NOR PROBABLY THE FRG.

4. HERPELS ENDED OUR DISCUSSION OF THIS ISSUE BY NOTING THAT CANADIANS HAD ASKED FOR SIMILAR ASSURANCES TWO YEARS EARLIER AND HAD BEEN REFUSED. SHE REEMPHASIZED IMPORTANCE WITH WHICH GOB REGARDED THIS DEMARCHE AND SAID THAT SHE WOULD NOTIFY FOREIGN MINISTER SIMONET ABOUT IT IMMEDIATELY. US, SHE CONCLUDED, COULD EXPECT OFFICIAL GOB RESPONSE TO DEMARCHE IN VERY NEAR FUTURE. CHAMBERS

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